

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PERFECT 10, INC., a California corporation,

Plaintiff,

v.

YANDEX N.V.,

Defendant.

Case No. C 12-01521 WHA

**DISCOVERY MATTER**

**HON. WILLIAM ALSUP**

**~~PROPOSED~~ ORDER GRANTING IN PART  
AND DENYING IN PART PERFECT 10, INC.'S  
MOTION TO COMPEL PRODUCTION OF  
DOCUMENTS, TO UN-DESIGNATE AEO  
DOCUMENTS, AND TO UN-REDACT  
PRODUCED DOCUMENTS**

Courtroom: 8  
Hearing Date: August 8, 2012  
Hearing Time: 11:30 a.m.

Jurisdictional  
Discovery Deadline: August 23, 2012

**PROPOSED ORDER**

This matter is before the Court on Plaintiff Perfect 10, Inc.'s Motion to Compel Production of Documents, to Un-designate Documents as "Attorney's Eyes Only" (AEO), and to Un-redact Documents ("Perfect 10's Motion") (Dkt. No. 38, July 31, 2012). Perfect 10's Motion is granted in part and denied in part, as follows:

1. **Perfect 10's Request for Production of Documents No. 1.** With respect to Perfect 10's Request for Production of Documents Number 1, seeking all contracts between Yandex entities and U.S. companies, Yandex N.V. shall produce all contracts between Yandex Inc. and U.S. companies dated from August 12, 2010 to March 27, 2012, and all contracts between Yandex N.V. and U.S. companies dated from January 1, 2010 to March 27, 2012 (but only to the extent not already produced, and to the extent they exist ~~in California~~ in Yandex Inc.'s possession or ~~in the Netherlands~~ in Yandex N.V.'s possession). Yandex N.V. shall produce any contract between Yandex Inc. and Yandex LLC dated between August 12, 2010 and March 27, 2012, to the extent that a copy of that contract is ~~in California~~ in Yandex Inc.'s possession.

2. **Perfect 10's Request for Production of Documents No. 4.** With respect to Perfect 10's Request for Production of Documents Number 4, seeking documents pertaining to financial payments and monetary transfers between Yandex N.V. and Yandex Inc., between Yandex N.V. and Yandex LLC., and between Yandex Inc. and Yandex LLC, Yandex N.V. shall produce documents sufficient to show all monetary transfers between any two of those entities that occurred between January 1, 2010 and March 27, 2012, but only to the extent they have not already been produced, and to the extent they exist ~~in California~~ in Yandex Inc.'s possession or ~~in the Netherlands~~ in Yandex N.V.'s possession.

3. **Perfect 10's Request for Production of Documents No. 5.** With respect to Perfect 10's Request for Production of Documents Number 5, seeking all monthly and year-end financial statements of Yandex N.V., Yandex Inc., and Yandex LLC, Yandex N.V. shall provide Yandex Inc. quarterly balance sheets, profit and loss statements, and cash flow statements from the date of

Yandex Inc.'s incorporation on August 12, 2010 to December 31, 2010 and for January 1, 2012 to March 27, 2012, to the extent such documents exist.

4. **Perfect 10's Request for Production of Documents No. 8.** With respect to Perfect 10's Request for Production of Documents Number 8 seeking documents pertaining to Yandex servers, computer equipment, data centers, and Yandex IP addresses in the U.S., Perfect 10's Motion is DENIED.

5. **Perfect 10's Request for Relief From Stipulated Protective Order and to Down-Designate AEO Documents.** Perfect 10's request for relief from Paragraph 7.3 of the parties' Stipulated Protective Order pertaining to Jurisdictional Discovery entered by the Court on July 17, 2012 (Dkt. Nos. 28, 29) and regarding Yandex N.V.'s designation of AEO documents is denied.

6. **Perfect 10's Motion to Unredact Documents.** The Court denies Perfect 10's request that the Yandex N.V. board meeting minutes be un-redacted during this jurisdictional discovery phase.

7. Perfect 10's motion is denied in all other respects. All of the foregoing orders pertain to Perfect 10's jurisdictional discovery requests only, and are made without prejudice.

**IT IS SO ORDERED.**

Dated: August 20, 2012.



Hon. William Alsup  
United States District Judge